

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

MATTIE YOUNG)	
)	
Plaintiff,)	
)	
vs.)	Civil Action No.: 6:21-cv-00355
)	
)	Judge Alan D. Albright
CEDAR CREST HOSPITAL AND)	Magistrate Judge Jeffrey C. Manske
RESIDENTIAL TREATMENT CENTER)	
and)	
ACADIA CORPORATE HEADQUARTERS)	
)	
Defendants.)	

DEFENDANTS’ MOTION TO DISMISS

Pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, Defendants HMIH Cedar Crest, LLC d/b/a Cedar Crest Hospital and Residential Treatment Center (“Cedar Crest”) and Acadia Healthcare Company, Inc. (“Acadia”) (incorrectly identified in the Complaint, respectively, as “Cedar Crest Hospital and Residential Treatment Center” and “Acadia Corporate Headquarters”) move the Court to enter an order dismissing the Complaint for failure to state a claim upon which relief can be granted. First, Plaintiff failed to file a Charge of Discrimination against Acadia and thus failed to exhaust her administrative remedies against it. Second, in the Charge that she did file, Plaintiff alleges only race discrimination and retaliation under Title VII, not disability discrimination under the Americans with Disabilities Act. Thus, she failed to administratively exhaust her ADA claim. Third, some of her Title VII discrimination and retaliation claims are untimely. Fourth, Plaintiff does not allege a causal connection between her protected status and the adverse employment actions she argues give rise to this lawsuit.

In support of this Motion, Defendants rely on their contemporaneously filed Memorandum of Law.

/s/ Mark W. Peters
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Attorneys for Defendants

CERTIFICATE OF SERVICE

I hereby certify that on May 24, 2021 a copy of the foregoing has been served via email and U.S. Mail upon:

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Plaintiff

/s/ Mark W. Peters